

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KEVIN GREY and WILLIAM BENNETT JR.,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

ACE HARDWARE CORPORATION,

Defendant.

Case No. 1:25-cv-02564

Hon. April M. Perry

Mag. M. David Weissman

**AGREED MOTION OF DEFENDANT ACE HARDWARE CORPORATION
FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

Defendant Ace Hardware Corp. (“Ace”) respectfully requests that the Court enter an order extending Ace’s deadline to answer or otherwise respond to the plaintiffs’ complaint by forty-five (45) days, from March 18, 2025 to May 2, 2025. The plaintiffs agree to the requested extension. In support of its motion, Ace states:

1. The plaintiffs filed this action in the DuPage County court on January 28, 2025. *See* ECF No. 1-1. The plaintiffs served Ace with the summons and Complaint on February 10, 2025. *See* ECF No. 1-3. Ace timely removed this action to the U.S. District Court for the Northern District of Illinois on March 11, 2025. *See* ECF No. 1.

2. The current deadline for Ace to “answer or present other defenses or objections” to the complaint is “7 days after the notice of removal is filed” – March 18, 2024. *See* Fed. R. Civ. P. 81(c)(2)(C).

3. The parties have been meeting and conferring regarding several matters that may impact the pleadings, including whether there are claims that must be arbitrated. To avoid unnecessary motion practice and conserve both the Court’s and the parties’ resources, Ace

respectfully requests a 45-day extension of its responsive pleading deadline so that the parties can continue their discussions.

4. This is Ace's first request for an extension of its responsive pleading deadline.

5. Ace's counsel has conferred with the plaintiffs' counsel, who has indicated that the plaintiffs agree with the requested extension.

WHEREFORE Ace respectfully requests that the Court enter an order extending Ace's deadline to answer or otherwise respond to the plaintiffs' complaint by forty-five (45) days, from March 18, 2025 to May 2, 2025.

Dated: March 13, 2025

Respectfully submitted,

Ace Hardware Corp.

By: /s/ Eric M. Roberts
One of its attorneys

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